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OSD/GC FOR CALLEN  
DOE/NNSA FOR MMALLIN  
NSC FOR CLEDDY  
HHS/OGHA FOR BSTEIGER  
USDA/ARS FOR PWHUNG  
USDA/APHIS FOR JANNELLI

E.O. 12958: N/A  
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SUBJECT: BEP-US MOU NEGOTIATIONS

REF: A) State 112668  
B) Marcellin-Rao August 20 Email

[1](#)1. (SBU) Summary. On August 21, Desra Percaya, Ministry of Foreign Affairs (DEPLU) Director for International Security and Disarmament told us that Indonesia is ready to conclude a bilateral Biosecurity Engagement Program (BEP) Memorandum of Understanding (MOU). Percaya provided us with written comments (Ref B) to USG questions (Ref A). The Government of Indonesia (GOI) sees the BEP MOU as a high-level umbrella agreement, with side issues, such as a negotiated liability clause left to agency-specific implementing agreements. Percaya asked about next steps and made clear that the Indonesian team would like to wrap up the agreement soon. END SUMMARY.

[1](#)2. (SBU) On August 21, the Indonesian DEPLU team of Desra Percaya, Andy Rachmianto (Deputy Director for Disarmament) and Adhyanti Sardanarini Wirajuda (DEPLU staffer and daughter of Minister of Foreign Affairs Nur Hassan Wirajuda) met with Dr. Jason Rao, BEP Coordinator (ISN CTR) and embassy officials to discuss the Biosecurity Engagement Program MOU. The Indonesian team prepared a written response to the questions raised in ref A. Although the responses are not detailed, the Indonesians made clear that they see the MOU as a "high-level" agreement. GOI prefers that side issues such as negotiated liability clauses belong in agency-specific implementing agreements.

[1](#)3. (U) A GOI interagency group generated the counter-draft after two long days of BEP MOU discussions. All agencies agreed that separate implementing agreements specific to their work should supplement the umbrella MOU -- thus the Indonesian counter draft has eliminated much of the specific language on liability, and some other provisions.

[1](#)4. (SBU) The U.S. team made clear that the MOU must address certain provisions (such as liability) either directly or by specifying that future implementing arrangements would contain these clauses. The Indonesians understood but explained that the Indonesian precedent was to move such clauses into implementing agreements. Trying to address specific issues in the interagency umbrella MOU, they said,

would overburden the system here and stall the negotiations.

¶5. (SBU) The Indonesian team understands the nature of the work and wants this important collaboration. Percaya and Rachmanto cited the recent outbreak of the foot and mouth disease in the United Kingdom and noted that BEP MOU would help prevent similar lab accidents at Indonesian laboratories such as Balitvet. They share our concerns about security issues at Balitvet and are eager to address them through the MOU.

¶6. (SBU) The Indonesian team asked about next steps and made clear that they would like to wrap up the agreement very soon. Specifically, Adhyanti Wirajuda needs to finalize the agreement before her November transfer to the United Nations. We responded that the USG would provide a new draft soon after an interagency discussion of GOI answers. Percaya noted that if our counter draft agreed to move the items in question into implementing agreements, the GOI would likely be ready to conclude and sign.

¶7. (SBU) Comment. The written GOI response does not capture the genuine interest and positive attitude the group had toward concluding the agreement. The ease which this agreement has progressed so far should be seen in stark contrast to other more contentious issues, such as the slower-moving NAMRU-2 agreement and stalled WHO negotiations on avian flu strain exchange. We believe that DEPLU would particularly like the agreement to conclude soon as this would represent a professional achievement for the Foreign Minister's daughter Adhyanti Wirajuda. We should capitalize on the Indonesian's willingness to conclude this quickly. This MOU also will lay the foundation for an implementing agreement with the Ministry of Health that is needed for delivering training and support at the National Institute of Health Research and Development -- one of our current Embassy priorities. Ambassador Hume is eager to sign this agreement in Jakarta as soon as possible. End Comment.